IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2444 OF 2003
IN
SUIT NO.3903 OF 1989

Union Bank of India ..Plaintiff

Vs.

Lal Roe Measuring Tools
(P) Ltd. and Ors. ..Defendants

And

Union of India .. Applicant

And

Court Receiver, High Court,
Mumbai .. Respondent

Ms.Shiba Thomas i/b Bilawala and Co.for the plaintiff

Mr.S.R.Rajguru i/b T.C.Kaushik for the defendants

Mr.K.L.Vyas Court Receiver present

CORAM : S.U.KAMDAR, J
DATED : 24TH JANUARY, 2006

P.C.:

1. The present Notice of Motion has been taken out for directing the Court Receiver to consider the claim of the applicant which is Union of India towards customs duty and interest thereon in respect of goods which are being directed to be sold. At present Court Receiver says there is only

Rs.2899/- lying in the account and no other fund is available.

2. In that light of the matter, Union of India is permitted to file claim with the Receiver but the Receiver will consider the same and if necessary pass an order only when fund is made available. Motion disposed of accordingly. No order as to costs.